

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ERIK PRINCE, :
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Plaintiff, : No. 21 Civ. 10075 (LAP)
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: ECF Case
-against- :
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THE INTERCEPT, et al., :
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Defendants. :
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AMENDED DECLARATION OF MARA GASSMANN

I, Mara Gassmann, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an attorney in the law firm of Ballard Spahr, LLP, counsel for the defendants in the above-captioned matter, and admitted *pro hac vice* in this Court. The facts stated below are true and within my own personal knowledge, and if called to testify, I would competently testify thereto. I submit this declaration in connection with the reply of Defendants First Look Institute, Inc. and Matthew Cole, and in further support of their motion to dismiss the Complaint.

2. Attached hereto as Exhibit 1 are true and correct copies of excerpted cover and author pages from Plaintiff's book *Civilian Warriors: The Inside Story of Blackwater and the Unsung Heroes of the War on Terror* (Penguin 2013), which are available on <https://www.penguinrandomhouse.com/books/316098/civilian-warriors-by-erik-prince/> (last visited 3/28/2022).

3. Attached hereto as Exhibit 2 is a true and correct copy of a document bearing the title IRS 990-PF Form for the Freiheit Foundation, prepared on or about October 31, 2018, reflecting a Virginia address for Mr. Prince and for his wife, Stacy DeLuke.

4. Attached hereto as Exhibit 3 is a true and correct copy of a document bearing the title IRS 990-PF Form for the Edgar and Elsa Prince Foundation, prepared on or about September 15, 2018, reflecting a Virginia address for Mr. Prince, a director of the Foundation.

5. Attached hereto as Exhibit 4 is a composite exhibit of true and correct copies of excerpts from public records available on the Federal Elections Commission website, www.fec.gov, which reflect contributions over a 15-year period from Plaintiff, as recently as October 2020. In each contribution record, his Virginia residence was listed.

6. Attached hereto as Exhibit 5 is a true and correct copy of the Virginia State Corporation Commission 2019 Annual Report for Townview Properties Management, Inc, dated September 3, 2019, reflecting a Virginia address for Mr. Prince, president/CEO.

7. Attached hereto as Exhibit 6 is a true and correct copy of the article *Ranching Made Better*, in Middleburg Life magazine.

8. Attached hereto as Exhibit 7 is a collection of true and correct copies of news articles referencing Plaintiff's residency in connection with his consideration of a U.S. Senate run in Wyoming in 2017:

a. *Blackwater Founder Erik Prince Considering Wyoming Senate Bid*,

published on or about October 8, 2017, by The Wall Street Journal.

b. *Erik Prince, Blackwater Founder, Weighs Primary Challenge to Wyoming Republican*, published on or about October 8, 2017, by The New York Times.

c. *Meet Erik Prince, former Navy Seal and founder of the most notorious security contractor who Steve Bannon wants to run for Senate*, published on or about October 9, 2017 by Business Insider.

9. Attached hereto as Exhibit 8 is a true and correct copy of Plaintiff's first declaration filed in *Prince v. The Intercept, et al*, Civil No. 20-cv-84-ABJ-KHR, Dkt. 23-1 (D. Wyo.).

10. Attached hereto as Exhibit 9 is a true and correct copy of Plaintiff's second declaration filed in *Prince*, Civil No. 20-cv-84-ABJ-KHR, at Dkt. 26.

11. Attached hereto as Exhibit 10 is a true and correct PDF from the Wyoming Secretary of State's website (<https://sos.wyo.gov/>), of the official filing of Moyock Medical Supplies, LLC, identified in the corrective declaration of Plaintiff Erik Prince referenced *infra* ¶ 10. This PDF is also available at

<https://wyobiz.wyo.gov/Business/FilingDetails.aspx?eFNum=211043088145251207184178174077011010082074149147>.

12. Attached hereto as Exhibit 11 is a composite exhibit containing true and correct copies of Defendant Matthew Cole's first and second declarations filed in *Prince*, Civil No. 20-cv-84-ABJ-KHR, at Dkts. 18-3 & 25-1.

13. Attached hereto as Exhibit 12 is a true and correct copy of the article *The Weekend interview with Erik Prince: Out of Blackwater and into China*, published by The Wall Street Journal on or about January 25, 2014.

14. In addition to the Wall Street Journal article referenced *infra* ¶ 13 and the publications accompanying the Declaration of Jay Ward Brown (Dkt. 24), numerous additional news articles and other publications can be found on Lexis Nexis and other online sources and

reflect Plaintiff's participation in the public controversies relevant to this litigation. A sampling of them are provided as exhibits herein. For example, attached hereto as Exhibit 13 is a true and correct copy of the article, *Blackwater founder Erik Prince cut a lucrative deal with Chinese insiders. But it is against U.S. interests?*, published by The Virginian on or about May 13, 2018.

15. Attached hereto as Exhibit 14 is a true and correct copy of the article *Blackwater's Erik Prince, China and a New Controversy Over Xinjiang*, published by Bloomberg on or around February 10, 2019,
[https://www.scmp.com/news/china/politics/article/2185588/blackwaters-erik-prince-china-and-new-controversy-over-xinjiang.](https://www.scmp.com/news/china/politics/article/2185588/blackwaters-erik-prince-china-and-new-controversy-over-xinjiang)

16. Attached hereto as Exhibit 15 is a true and correct copy of the article *Frontier Services Group Founder Erik Prince Denies Knowledge of Xinjiang Training Base Deal*, published by South China Morning Post on or about February 1, 2019,
[https://www.scmp.com/news/china/politics/article/2184734/frontier-services-group-founder-erik-prince-denies-knowledge.](https://www.scmp.com/news/china/politics/article/2184734/frontier-services-group-founder-erik-prince-denies-knowledge)

17. Attached hereto as Exhibit 16 is a true and correct copy of the article, *A Former Mercenary Proposes a Pentagon Makeover – Erik Prince, the controversial ex-CEO of Blackwater, has a plan for military reform and it's gaining fans*, published by Newsweek on or around December 12, 2014.

18. Attached hereto as Exhibit 17 is a true and correct copy of the article *Blackwater founder Erik Prince's new company has reportedly set up shop in Iraq*, published by Business Insider on or about April 29, 2019.

19. Attached hereto as Exhibit 18 is a true and correct copy of the article *As Afghanistan Frays, Blackwater Founder Erik Prince is Everywhere*, published by The New York

Times on or about October 4, 2018,

<https://www.nytimes.com/2018/10/04/world/asia/afghanistan-erik-prince-blackwater.html>.

20. Attached hereto as Exhibit 19 is a true and correct copy of the article *Erik Prince Courts New Controversy*, published by The Star on or about February 11, 2019,
<https://www.thestar.com.my/business/business-news/2019/02/11/erik-prince-courts-new-controversy>.

21. Attached hereto as Exhibit 20 is a true and correct copy of the article *Erik Prince: Trump is Right – We Can Work With Putin to Defeat ‘Common Enemy’ of Islamic Fascism*, published by Breitbart on or about September 8, 2016,
<https://www.breitbart.com/radio/2016/09/08/erik-prince-trump-is-right-that-we-can-work-with-putin-to-defeat-common-enemy-of-islamic-fascism/>.

22. Attached hereto as Exhibit 21 is a true and correct copy of the article *Trump backer Erik Prince's account of Russian banker contact differs from Mueller report*, published by Reuters on or about Apr. 18, 2019, <https://www.reuters.com/article/us-usa-trump-russia-prince/trump-backer-erik-princes-account-of-russian-banker-contact-differs-from-mueller-report-idUSKCN1RV03F>.

23. Attached hereto as Exhibit 22 is a true and correct copy of the article *Blackwater Founder Erik Prince Says Mueller Asked About Meeting Russian Putin Pal in Seychelles*, published by CNBC on or about January 7, 2019, <https://www.cnbc.com/2019/01/07/erik-prince-on-mueller-interview-would-rather-go-to-a-proctology-exam.html>.

24. Attached hereto as Exhibit 23 is a true and correct copy of the article *Erik Prince Suggests He Didn't Lie, Congress Got 'Transcript Wrong*, published by NY Magazine on or

about March 8, 2019, <https://nymag.com/intelligencer/2019/03/erik-prince-is-really-bad-at-lying.html>.

25. Attached hereto as Exhibit 24 is a true and correct copy of the article *Erik Prince Is a Name You Need to Know*, published by Esquire on or about April 4, 2017, <https://www.esquire.com/news-politics/politics/news/a54292/erik-prince-russia-seychelles/>.

26. Attached hereto as Exhibit 25 is a true and correct copy of the article *This Erik Prince Transcript is Unbelievable*, published by Esquire on or about December 8, 2017, <https://www.esquire.com/news-politics/politics/a14392719/this-erik-prince-transcript-is-unbelievable/>.

27. Attached hereto as Exhibit 26 is a true and correct copy of the August 2019 (Issue 44) cover story in Recoil magazine, titled *Erik Prince: Blackwater's founder Talks guns, Tactics, Logistics, and Politics*, <https://www.recoilweb.com/erik-prince-blackwaters-founder-talks-guns-tactics-logistics-and-politics-152087.html> (“I enjoy coming home to Middleburg, Virginia, where my wife runs a great farm, but I spend some time in the Middle East, in Africa, and in Hong Kong.”).

28. Attached hereto as Exhibit 27 is a true and correct copy of the article *In the Mueller Report, Erik Prince Funds a Covert Effort to Obtain Clinton's E-mails from a Foreign State*, published by The New Yorker on or about April 18, 2019, <https://www.newyorker.com/news/news-desk/in-the-mueller-report-erik-prince-funds-a-covert-effort-to-obtain-clintons-e-mails-from-a-foreign-state>.

29. Attached hereto as Exhibit 28 is a true and correct copy of the article *Putin ally suggests Seychelles meeting with Erik Prince more than chance encounter over a beer*, published

by ABC News on or about May 24, 2018, <https://abcnews.go.com/Politics/putin-ally-seychelles-meeting-erik-prince-chance-encounter/story?id=55408942>.

30. Attached hereto as Exhibit 29 is a true and correct copy of the article *Blackwater founder Erik Prince accused of helping evade U.N. Libya sanctions*, published by Reuters on or about February 21, 2021, <https://www.reuters.com/article/us-libya-security-un/blackwater-founder-erik-prince-accused-of-helping-evasive-u-n-libya-sanctions-idUSKBN2AL0GW>.

31. Attached hereto as Exhibit 30 is a composite exhibit of excerpts of FBI interview notes (302s) publicly released by the Federal Bureau of Investigation and made available by Buzzfeed News via its website, reflecting interviews with Erik Prince.

This Declaration was executed on the 29th day of March, 2022, in Seattle, Washington.

I declare under penalty of perjury under the laws of the United States of America and the State of Washington that the foregoing is true and correct.

/s/ Mara Gassmann
MARA GASSMANN

Executed pursuant to 28 U.S.C. § 1746